

REMARKS**I. Summary of Office Action**

Claims 1, 4-14, and 16-31 were pending in the application.

Claims 1, 4, 7-10, 14, 18-21, 26, and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara U.S. Patent No. 6,512,919 (hereinafter, "Ogasawara") in view of Ben Dror et al. U.S. Patent No 6,091,511 and Nakamura et al. U.S. Patent No. 5,852,677 (hereinafter "Nakamura").

Claims 5, 6, 11-13, 16, 17, 22-25, 27, 28, 30, and 31 were objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

II. Applicants' Reply

Claims 1, 4, 7, 8-10, 14, 18-21, 26, and 29 have been cancelled without prejudice to expedite the allowance of this application. Applicants expressly reserve the right to pursue these cancelled claims in a continuation or divisional application.

Applicants have re-written claims 5, 11, 12, 13, 16, 22, 23, 24, 25, 27, and 30 in independent form and have made additional modifications to claims 5, 12, 13, 16, 23, 24, and 25, to put them into proper form. Claims 6, 17, 28, and 31 have not be re-written as they depend from claims 5, 16, 27, and 30 respectively, which have been re-written in independent form.

Regarding the additional modifications to put claims in proper form, Claim 5 has been amended to include "calculating the number of edges in said enhanced barcode image" corresponding to claims 16, 27, and 30. Claims 12, 13, 23, and 24 have been amended to correct a typographical error that was present in each claim (i.e., "an"). Claim 16 has been amended to be consistent in verb usage (i.e. "calculatesing," "loadsing," "comparesing," and "decodesing"). Claim 25 has been amended to correct a typographic error (i.e., "device[[s]]").

Accordingly, Applicants respectfully submit that claims 5, 6, 11-13, 16, 17, 22-25, 27, 28, 30, and 31 are allowable. Additionally, Applicants respectfully request that the objections be withdrawn.

III. Conclusion

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, applicants assert that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicants do not concede that other features in the claims are found in the prior art.


Further, applicants hereby retract any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintain the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, applicants specifically retract statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application. Reconsideration and allowance of the application are respectfully requested.

AUTHORIZATION

The Director is hereby authorized to charge any fees which may be required for this
Amendment, or credit any overpayment, to Deposit Account No. 08-0219.

Respectfully submitted,

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